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**Permit No.: ST-9148**  
**Issuance Date: March 31, 2004**  
**Effective Date: May 1, 2004**  
**Expiration Date: April 30, 2009**

STATE WASTE DISCHARGE PERMIT NUMBER ST 9148

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
YAKIMA, WASHINGTON 98902

In compliance with the provisions of the  
State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington, as amended,  
authorizes

**STIMSON LANE LTD.**  
**SNOQUALMIE WINERY**  
**660 FRONTIER ROAD**  
**PROSSER, WA 99350**

to discharge wastewater in accordance with the special and general conditions which follow.

<u>Facility Location:</u> 660 Frontier Road Prosser, WA 99350	<u>Discharge Location - Lagoon:</u> Latitude: 46° 12' 36" N Longitude: 119° 44' 44" W  <u>Discharge Location Outfall #002 (City of Prosser POTW)</u> Latitude: 46° 13' 06" N Longitude: 119° 44' 51" W (WGS 84)
<u>Industry Type:</u> Winery	<u>SIC Code:</u> 2084

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G. Thomas Tebb, L.E.G.  
Section Manager  
Water Quality Program  
Central Region Office  
Washington State Department of Ecology

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**SUMMARY OF PERMIT REPORT SUBMITTALS**

Refer to the Special and General Conditions of this permit for additional submittal requirements.

<b>Permit Section</b>	<b>Submittal</b>	<b>Frequency</b>	<b>First Submittal Date</b>
S2.C.	Sampling and Analysis Plan	1/permit cycle	August 1, 2004
S2.C.	Sampling and Analysis Plan Revision	1/permit cycle	May 1, 2005
S3.A.	Discharge Monitoring Report	Monthly	June 15, 2004
S4.A.	Operations and Maintenance Manual	1/permit cycle	October 1, 2004
S4.A.	O&M Manual Update or Review Confirmation Letter	Annually	October 1, 2005 <sup>a</sup>
S5.C.	Solid Waste Control Plan	1/permit cycle	May 1, 2005
S6.	Engineering Report	1/permit cycle	May 1, 2005
S6.A.	Engineering Report Scope of Work	1/permit cycle	August 1, 2004
S6.D.	Notification of completion of the installation of the ground water monitoring network.	1/permit cycle	To be determined
S6.E.	Engineering Report Plans and Specifications	1/permit cycle	(60 days) after the approval date of the Engineering Report
S7.	Spill Plan	1/permit cycle	May 1, 2005
G7.	Application for permit renewal	1/permit cycle	April 30, 2008 <sup>b</sup>
<sup>a</sup> Annual submittal dates are October 1, 2005, October 1, 2006, October 1, 2007, and October 1, 2008.			
<sup>b</sup> At least one (1) year prior to permit expiration			

## SPECIAL CONDITIONS

### S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

#### A. Effluent Limitations -- Discharge to Prosser WWTP

Beginning on **May 1, 2004** and lasting through **April 30, 2009** the discharge from this facility is subject to limitations established by the City of Prosser Industrial Wastewater User Contract - Snoqualmie Winery, signed on April 22, 2003. The effluent limitations in that contract constitute the enforceable limits of this permit. The contract shall constitute Appendix A of the O&M Manual. Any revisions to the Contract shall be included in an annual O&M update.

EFFLUENT LIMITATIONS		
Parameter	Minimum	Maximum
pH, in Standard Units <sup>a</sup>	5	11
<sup>a</sup> These limits are given in the City of Prosser Industrial Wastewater User Contract - Snoqualmie Winery.		

#### B. Best Management Practices/Pollution Prevention

The Permittee shall comply with the following Best Management Practices so as to prevent pollution to waters of the State:

- Do not commingle process wastewater streams with sanitary (domestic) sewage;
- Do not discharge in excess of the hydraulic capacity of the pond so that the pond overflows (see Special Condition S4.A); and,
- Do not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts.

## S2. MONITORING REQUIREMENTS

### A1. Influent and Lagoon Monitoring

The sampling point for the influent will be at the composite sampler, located in the pipeline between the sump and the lagoons.

The sampling point for the effluent from the above ground treatment works will be at the lagoons.

The Permittee shall monitor the wastewater according to the following schedule:

Discharge to and in Lagoons				
Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	MGD	Sump to Lagoons	Continuous	Inline Mag-Flow Meter
pH	Standard Units	Lagoons 1 & 2 <sup>a</sup>	Twice monthly	Grab
BOD <sub>5</sub>	mg/l	Lagoons 1 & 2	Monthly <sup>b</sup>	Grab
TDS	mg/l	Lagoons 1 & 2	Monthly <sup>b</sup>	Grab
TKN (as N)	mg/l	Lagoons 1 & 2	Monthly <sup>b</sup>	Grab
NO <sub>3</sub> (as N)	mg/l	Lagoons 1 & 2	Monthly <sup>b</sup>	Grab
NH <sub>3</sub> (as N)	mg/l	Lagoons 1 & 2	Monthly <sup>b</sup>	Grab
Chloride	mg/l	Lagoons 1 & 2	Monthly <sup>b</sup>	Grab
BOD <sub>5</sub>	mg/l	Lift Station to Lagoon	Monthly	Composite
BOD <sub>5</sub>	lbs/day	Lift Station to Lagoon	Monthly	Calculation <sup>c</sup>
TDS	mg/l	Lift Station to Lagoon	Monthly	Composite
TDS	lbs/day	Lift Station to Lagoon	Monthly	Calculation
TKN (as N)	mg/l	Lift Station to Lagoon	Monthly	Composite
TKN (as N)	lbs/day	Lift Station to Lagoon	Monthly	Calculation
NO <sub>3</sub> (as N)	mg/l	Lift Station to Lagoon	Monthly	Composite
NO <sub>3</sub> (as N)	lbs/day	Lift Station to Lagoon	Monthly	Calculation
NH <sub>3</sub> (as N)	mg/l	Lift Station to Lagoon	Monthly	Composite
NH <sub>3</sub> (as N)	lbs/day	Lift Station to Lagoon	Monthly	Calculation
Chloride	mg/l	Lift Station to Lagoon	Monthly	Composite
Chloride	lbs/day	Lift Station to Lagoon	Monthly	Calculation
Lagoon Wastewater Depth	Inches	Staff gauge in Lagoons 1 & 2 <sup>d</sup>	Twice monthly	Measurement
<sup>a</sup> West lagoon is #1; East lagoon is #2				
<sup>b</sup> Monitoring of each lagoon shall be on alternating months: Lagoon 1 in January, March, May,				

July, September, November; Lagoon 2 in February, April, June, August, October, December.
<sup>c</sup> -"Calculation" means figured concurrently with the respective sample, using the following formula: Concentration (in mg/L) X Flow (in MGD) X Conversion Factor (8.34) = lbs/day.
<sup>d</sup> Lagoon wastewater depth may be calculated based on flow volume, until September 1, 2004 by which time the lagoons will have been emptied and therefore safe to install staff gauges.

## A2. Wastewater Monitoring to Prosser WWTP

The sampling point for the effluent discharged to the City of Prosser POTW will be at the composite sampler located between the lagoons and the City's gravity main that lies beneath Frontier Road.

Effluent to the City of Prosser POTW <sup>a</sup>				
Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	MGD	Composite Sampler building	Continuous	Inline Mag-Flow Meter
BOD <sub>5</sub>	mg/L	Composite Sampler building	Weekly <sup>b</sup>	24 hour composite
BOD <sub>5</sub>	lbs/day	Composite Sampler building	Weekly <sup>b</sup>	Calculation
TSS	mg/L	Composite Sampler building	Weekly <sup>b</sup>	24 hour composite
TSS	lbs/day	Composite Sampler building	Weekly <sup>b</sup>	Calculation
Ammonia	mg/L	Composite Sampler building	Weekly <sup>b</sup>	24 hour composite
Ammonia	lbs/day	Composite Sampler building	Weekly <sup>b</sup>	Calculation
pH	Standard Units	Composite Sampler building	Weekly <sup>b</sup>	24 hour composite
<sup>a</sup> If there is no discharge in any given month to the POTW, indicate by entering "No Discharge" in appropriate location on Discharger Monitoring Report.				
<sup>b</sup> If sampling occurs at a greater than weekly basis for flow, pH, BOD, & TSS, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.				

**B. Ground Water Monitoring**

The necessity for ground water monitoring, and if necessary, all sampling points, frequencies, and methods for ground water monitoring shall be determined in the Engineering Report (S6.) and shall also constitute Appendix B of the O&M Manual.

**C. Sampling and Analysis Plan**

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

The Permittee shall submit to the Department, for review and approval, a Sampling and Analysis Plan to address all wastewater and ground water monitoring required in this permit. The Plan shall be developed in substantial accordance with *Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies*, Ecology Publ. No. 01-03-003 and the appropriate sections of *Implementation Guidance for the Ground Water Quality Standards*, Ecology Publ. No. 96-02. The plan shall be received no later than **August 1, 2004**.

No later than **May 1, 2005**, the Permittee shall submit a revised Sampling and Analysis Plan that specifies any ground water sampling (with attendant analysis) recommended by the Engineering Report with Ground Water Quality Evaluation (S6.B).

**D. Flow Measurement**

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations. Calibration records shall be maintained for at least three (3) years.

**E. Laboratory Accreditation**

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental*



*Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Crops, soils, and hazardous waste testing has not been included in the accreditation program. Crops, soils, and hazardous waste data shall be provided by a lab accredited for similar parameters in water media.

**F. Request for Reduction of Monitoring Frequency**

The Permittee may request a reduction of the sampling frequency after twelve (12) months of monitoring. The request shall: (1) be in written form, (2) clearly state the parameters for which the reduction in monitoring is being requested, and (3) clearly state the justification for the reduction. Any request for reduction in monitoring shall be granted at the Department of Ecology's (Department) discretion and accomplished through an Administrative Order or permit modification.

**S3. REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

**A. Reporting**

The first monitoring period begins on **May 1, 2004**. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be submitted no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to:

Permit Data Systems Manager  
Department of Ecology  
Central Regional Office  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not

operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

**B. Records Retention**

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

**C. Recording of Results**

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

**D. Additional Monitoring by the Permittee**

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Special Condition S2. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

**E. Noncompliance Notification**

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within thirty (30) days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and

4. Submit a detailed written report to the Department within thirty days, unless requested earlier by the Department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

#### **S4. OPERATION AND MAINTENANCE**

The Permittee shall at all times be responsible for the proper operation and maintenance (O&M) of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

##### **A. O&M Manual**

An O&M Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department on or before **October 1, 2004**. The O&M Manual shall be reviewed by the Permittee at least annually. The Permittee shall confirm the review by letter and/or a manual update to the Department whenever they are incorporated into the manual. *Annual submittal dates are October 1, 2005, October 1, 2006, October 1, 2007, and October 1, 2008.* The approved O&M Manual shall be kept available at the permitted facility.

The O&M Manual shall contain the treatment plant process control monitoring schedule. All operators shall follow the instructions and procedures of this manual.

The manual shall include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure;
2. Plant maintenance procedures related to the generation of process wastewater;
3. Flow meter maintenance and operation;
4. Effluent composite samplers maintenance and operation;
5. Proper cleaning techniques of the evaporation lagoons so as to prevent tearing of the liners;
6. Inspection routines to ensure the integrity of liner seams;
7. Protocols and procedures for monitoring wastewater depth in the lagoons;

8. Effluent limits given in the City of Prosser Industrial Wastewater User Contract - Snoqualmie Winery shall constitute Appendix A of the O & M manual. Any revisions to the Contract shall be included in the annual O&M Manual update.
9. The Sampling and Analysis Plan (S2.C) sets forth the sampling points, frequencies, methods for ground water monitoring, and reporting requirements and the Plan shall constitute Appendix B of the O&M Manual. Monitoring requirements recommended by the Engineering Report (S6) shall be incorporated into a revised Appendix B in the required update to the O&M Manual.
10. Maintenance procedures to assure adequate freeboard for protection from overtopping and wind blow. Wastewater shall not exceed the depths given in the following table:

Wastewater Depth Limitations –Lagoons		
Parameter	Units	Maximum Limits
Maximum depth of wastewater - East Lagoon	Inches	216
Maximum depth of wastewater - West Lagoon	Inches	165

## B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. *Unavoidable Bypass* -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with Special Condition S3.E "Noncompliance Notification."

2. *Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions* -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall apply to the Department for the administrative order at least thirty (30) days before the planned date of bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
  - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit;
  - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility; and,
  - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.

3. *Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions* -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of the limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

## **S5. SOLID WASTE DISPOSAL**

### **A. Solid Waste Handling**

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into State ground water or surface water.

**B. Leachate**

The Permittee shall not allow leachate from its solid waste material to enter State waters without providing all known, available and reasonable methods of prevention, control and treatment (AKART), nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification for such discharges to State ground water or surface water.

**C. Solid Waste Control Plan**

The Permittee shall submit a solid waste control plan to the Department no later than **May 1, 2005**. This plan shall include all solid wastes with the exception of those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The plan shall include at a minimum a description, source, generation rate, and disposal methods of these solid wastes.

This plan shall not be at variance with any approved local solid waste management plan. Any proposed revision or modification of the solid waste handling plan must be submitted to the Department. The Permittee shall comply with the plan and any modifications thereof. The Permittee shall submit an update of the solid waste control plan with the application for permit renewal one (1) year prior to the expiration date of the permit.

**S6. ENGINEERING REPORT WITH GROUND WATER QUALITY EVALUATION**

No later than **May 1, 2005**, two copies of an approvable Engineering Report shall be prepared by the Permittee in accordance with Chapter 173-240 WAC and submitted to the Department for review and approval. The report shall include a Ground Water Quality Evaluation.

The Engineering Report is to develop recommendations to ensure protection of ground water quality standards given in Chapter 173-200 WAC. The report shall contain any appropriate requirements as described in "Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems" (Washington State Department of Ecology, 1993). The Engineering Report shall address the entire treatment system; therefore, a section of the report shall address opportunities for pollution prevention and wastewater generation reduction at the facility's operation.

- A. On or before **August 1, 2004**, the Permittee shall submit a scope of work to the Department for the Engineering Report (including a scope of work for the ground

water quality evaluation study) at the wastewater application site, in accordance with WAC 173-200-080. The scope of work shall conform to *Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems*, Ecology 1993.

- B. Upon approval of the scope of work by the Department, the Permittee shall conduct a study to determine site specific hydrogeologic conditions, determining the necessity of installing monitoring wells, monitoring well siting, quality control protocols, a sampling plan and sampling protocols. This section of the report shall be entitled Ground Water Quality Evaluation. The report shall also develop all known, available, and reasonable methods of prevention, control and treatment (AKART) for the facility's wastewater. The Permittee shall submit the Engineering Report on or before **May 1, 2005**.
- C. Within sixty (60) days after approval of the report by the Department, the Permittee shall begin construction of the ground water monitoring network, or other alternative, as the hydrogeologic report has determined. Well construction, if that is the accepted alternative, shall be in accordance with Chapter 173-160 WAC.
- D. After completion of the installation of the ground water monitoring network, the Permittee shall notify the Department and begin monitoring according to protocols developed in the Engineering Report. The monitoring protocols and reporting requirements shall also constitute Appendix B of the O & M manual.
- E. No later then (60 days) after the approval date of the Engineering Report, the Permittee shall submit to the Department for review and approval, two copies of approvable plans and specifications for structures and/or equipment for pollution reduction opportunities recommended by the Engineering Report. The plans and specifications shall be produced in accordance with Chapter 173-240 WAC in general and WAC 173-240-130 in particular.

## **S7. SPILL PLAN**

Within **May 1, 2005**, the Permittee shall submit to the Department a spill control plan for the prevention, containment, and control of spills or unplanned releases. The Permittee shall review the plan at least annually and update the Spill Plan as needed. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The spill control plan shall include the following:

- A description of operator training to implement the plan.

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and petroleum products, materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or other materials which may become pollutants or cause pollution upon reaching State's waters.
- Plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this section may be submitted.



## GENERAL CONDITIONS

### G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
  - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

### G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the State. Reasonable

times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

### **G3. PERMIT ACTIONS**

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the State; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

### **G4. REPORTING A CAUSE FOR MODIFICATION**

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

### **G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred eighty (180) days prior to the planned start of

construction. Facilities shall be constructed and operated in accordance with the approved plans.

**G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

**G7. DUTY TO REAPPLY**

The Permittee must apply for permit renewal at least one (1) year prior to the specified expiration date of this permit.

**G8. PERMIT TRANSFER**

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

**G9. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

**G10. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

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**Permit No.: ST-9148**

**Expiration Date: April 30, 2009**

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.